

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

STATE OF TEXAS, *et al.*,

Plaintiffs,

V.

UNITED STATES OF AMERICA, *et al.*,

Defendants,

and

KARLA PEREZ, *et al.*

Defendant Intervenor.

[illegible]

Case No. 1:18-CV-68

**UNOPPOSED MOTION FOR LEAVE TO FILE BRIEF OF AMICI CURIAE THE
HOUSTON HISPANIC CHAMBER OF COMMERCE, THE TEXAS
ASSOCIATION OF BUSINESS, SEVEN OTHER TEXAS CHAMBERS OF
COMMERCE, THE TEXAS BORDER COALITION, INTERNATIONAL
BANCSHARES CORPORATION, MAREK BROTHERS CONSTRUCTION, INC.,
SOUTHWEST AIRLINES AND UNITED AIRLINES, INC. IN OPPOSITION TO
PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION**

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Pursuant to Fed. R. Civ. P. 7 and Local Civil Rule 7, the Houston Hispanic Chamber Of Commerce, the Texas Association Of Business, seven other Texas Chambers of Commerce, the Texas Border Coalition, International Bancshares Corporation, Marek Brothers Construction, Inc., Southwest Airlines and United Airlines, Inc. file this Unopposed Motion for Leave to File Brief of *Amici Curiae* in Opposition to Plaintiffs’ Motion for Preliminary Injunction, and would respectfully show the Court as follows:

1. *Amici Curiae* (“*Amici*”) are Chambers of Commerce and business associations in Texas and companies with a significant presence in Texas. The Chambers of Commerce represent the interests of the business communities in cities and counties across Texas, and *Amici* companies represent various industries with headquarters in cities across the State. Texas businesses count Dreamers among their valued customers, employees, and fellow members of the Texas business community. Dreamers are young immigrants who came to the United States as children, and were granted deferred action based on the guidelines for prosecutorial discretion established under the Deferred Action for Childhood Arrivals (DACA) initiative. These grants of deferred action have enabled Dreamers to seek work authorization, attend school, and make valuable contributions to their communities. *Amici* have a strong interest in protecting the DACA initiative, and many *Amici* stand to experience irreparable harm if the program is enjoined by this Court.

2. The **Houston Hispanic Chamber of Commerce** (“HHCC”) represents approximately 90,000 Hispanic-owned businesses in the Greater Houston Region, ranging in size from start-ups to multi-national corporations including a variety of industries: financial services, health care and energy companies. Through its issue advocacy, media platforms reaching an audience of more than three million people, and its robust membership network, HHCC is the

leading united voice for the Hispanic business community in Houston. If Dreamers lost the deferred action status granted under the DACA guidelines, it would result in a \$460 billion loss to the United States' gross domestic product over the next decade, more than \$6 billion in annual economic activity to the State of Texas, and a loss of more than \$2 billion of annual economic activity in the Greater Houston Region.

3. The **Texas Association of Business** is the leading employer organization in Texas. It is the State's chamber of commerce. Representing companies from large multi-national corporations to small businesses in nearly every community of Texas, the Texas Association of Business works to improve the Texas business climate and to help make the State's economy the strongest in the world. For more than 85 years, the Texas Association of Business has fought for issues that impact business to ensure that employers' opinions are heard. *Amici* and their members stand to experience irreparable harm and significant economic harm if DACA is enjoined.

4. The **Brazoria County Hispanic Chamber of Commerce** ("BCHCC") is a not-for-profit organization established in 2011, which supports the Hispanic community by increasing opportunities for Hispanic-owned businesses to compete for public and private contracts in the area, providing Hispanic-owned businesses with resources to facilitate their growth, keeping the Hispanic business community connected with opportunities to promote community development, and encouraging more civic and political participation within the Hispanic community. The BCHCC believes that Dreamers play a critical role in the economic stability and sustainability of Texas, making important contributions to the State and providing a vital source of human capital.

5. The **El Paso Hispanic Chamber of Commerce** ("EPHCC") is the preeminent resource and advocate for small, minority, women, and veteran owned businesses in the El Paso

Metroplex. Since 2003, the EPHCC has assisted over 12,000 clients start and grow their businesses, connected businesses with almost \$2 billion in contracts and financing, and has generated an estimated economic impact to the El Paso Community of over \$1.1 billion. The EPHCC is comprised of more than 1,200 member firms that entrust them with their resources, their leadership, and their support. The EPHCC believes that enjoining DACA will not only devastate families across Texas and the country; it will hurt the Texas economy and detrimentally affect the EPHCC, its members, and clients.

6. The **Greater Austin Hispanic Chamber of Commerce** (“GAHCC”) is a non-profit organization established in 1973 with the primary goal of continuing the advancement and progression of a strong and stable economic culture for the 33,000 Hispanic-owned Businesses in central Texas. The GAHCC supports permanent protections for Dreamers to allow young immigrants in local communities and across the country to continue to pursue their education, contribute to our labor force and tax base, and start new businesses that create jobs.

7. **International Bancshares Corporation** (“IBC Bank”) is a Laredo-based multibank financial holding company. Founded in Laredo, Texas in 1966, IBC Bank has grown to be one of the largest holding companies in Texas serving 88 communities throughout Texas and Oklahoma, and has recently been ranked among one of the nation’s best banks by Forbes magazine.

8. **Marek Brothers Construction, Inc.**, (“MAREK”) is a privately-held construction company in Texas that employs over 1,000 individuals. Founded in 1938, MAREK now provides construction services to eight cities in Texas. MAREK has advocated for changes to the United States’ immigration policies because the company has faced labor shortages as it struggles to find workers to field full construction crews and to resist competitive disadvantages from peer construction firms who hire undocumented workers. Enjoining DACA will make it

more difficult for MAREK to recruit, develop, and invest in the skilled employees it relies on for its success.

9. The **Midland Hispanic Chamber of Commerce** (“MHCC”) was founded in 1984 in order to serve Hispanic businesses in the Midland community, and has over 450 members. MHCC promotes networking and support within its membership and the greater Midland business community, offering networking events, training programs, and business counseling to its members..

10. The **Rio Grande Valley Hispanic Chamber of Commerce** (“RGVHCC”) promotes economic development and assists businesses in accessing the Hispanic market through networking, promoting education, and nurturing leadership. The RGVHCC serves the ever-growing small business community along the South Texas Border, and offers its members networking events, workshops and seminars on continuing education, and opportunities for leadership development. Many of the RGVHCC’s members have staff who are students who have been granted deferred action pursuant to the DACA guidelines, and their removal would cause a major negative effect in the Rio Grande Valley. Many of the students even have aspirations to start their own businesses, which would be an economic boost to the region.

11. The **San Antonio Hispanic Chamber of Commerce** (“SAHCC”) is San Antonio’s leading resource and advocate for Hispanic businesses and Hispanics in business. SAHCC was the first Hispanic Chamber of Commerce in the United States.

12. **Southwest Airlines** (“Southwest”) is the largest domestic air carrier in the United States in terms of domestic originating passengers boarded according to the U.S. Department of Transportation’s latest reporting, serving more than 120 million passengers annually, in recent years. Southwest is based in Dallas, Texas, and employs more than 57,000 people, including

more than 16,000 in the State of Texas. Southwest serves 10 Texas cities with a total of more than 500 daily departures.

13. The **Texas Border Coalition** (“TBC”) is a collective voice of border mayors, county judges, and economic development commissions focused on issues that affect 2.5 million people along the Texas-Mexico border region and in economically disadvantaged counties from El Paso to Brownsville. TBC advocates for federal and state investments and incentives in education and the workforce, healthcare, ports of entry, transportation, and other areas considered vital to the fulfillment of its mission. TBC is committed to advocating for fair and effective immigration reform that strengthens our borders and recognizes the economic contributions immigrants make to the United States and Texas economies. TBC has long supported a lasting solution for Dreamers to remain in the United States.

14. **United Airlines, Inc.** (“United”) is a leading international airline operating the world’s most comprehensive global route network, serving more than 120 destinations internationally and 148 million passengers worldwide in 2017, and employing more than 85,000 people. United maintains an airline hub and corporate office in Houston, Texas, operating more than 500 flights per day from the city. One of Houston’s largest employers, United has more than 14,000 Houston-based employees and employs an additional 523 people throughout Texas.

15. As members of the Texas business community, *Amici* and their members have been witnesses to, and beneficiaries of, the many contributions these Dreamers have made to the Texas economy. *Amici* believe that the arguments set forth in their Brief of *Amici Curiae*, which is attached, will assist the Court in resolving Plaintiffs’ Motion for a Preliminary Injunction, specifically with respect to the economic impact that the requested injunction would have on the Texas economy.

16. No party made any monetary contribution toward this brief.

17. Pursuant to Local Rule 7, *Amici's* counsel has conferred with counsel for the parties, who indicated that the Plaintiff States consent to and the remaining parties do not oppose this Motion. A proposed order is attached.

PRAYER

WHEREFORE, the Houston Hispanic Chamber Of Commerce, the Texas Association Of Business, Seven Other Texas Chambers Of Commerce, the Texas Border Coalition, International Bancshares Corporation, Marek Brothers Construction, Inc., Southwest Airlines And United Airlines, Inc. respectfully pray that this Court **GRANT** this Unopposed Motion for Leave to File Brief of *Amici Curiae*, **ORDER** that the attached Brief of *Amici Curiae* be filed, and **GRANT** *Amici Curiae* all relief to which they may be justly entitled.

Respectfully submitted,

/s/ Thomas S. Leatherbury
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CERTIFICATE OF CONFERENCE

I hereby certify that counsel for *Amici Curiae* conferred by email on July 19, 2018 with Todd Disher, counsel for Plaintiffs State of Texas, *et al.* Counsel for *Amici Curiae* further conferred by email and by telephone on July 18, 2018, with Jeffrey Robins, counsel for Defendants United States of America, *et al.*; and Fatima Menendez, counsel for Defendant Intervenor Karla Perez, *et al.* Plaintiffs do not oppose the requested relief. Defendants do not oppose the requested relief. Defendant Intervenor do not oppose the requested relief.

/s/ Thomas S. Leatherbury

Thomas S. Leatherbury

CERTIFICATE OF SERVICE

I hereby certify that on July 21, 2018, I caused a true and accurate copy of the foregoing document to be served on all counsel of record via filing of the same with the Court's CM/ECF system.

/s/ Thomas S. Leatherbury

Thomas S. Leatherbury